



*Division of Disability and Rehabilitative Services*

*First Steps*

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February 15, 2023

Clare Mann  
Cluster B - 1<sup>st</sup> Kids  
700 E. Beardsley Street  
Elkhart, IN 46514

Dear Clare,

The Bureau of Child Development Services (BCDS) and the Quality Review (QR) Team would like to share the data from the 2021 fall monitoring visit. As a reminder, any finding must be corrected within one year. This letter serves as Cluster B's performance on compliance indicators as well as a finding if noncompliance was found during our visit. The data is shared in the State Performance Plan/Annual Performance Report (SPP/APR) submitted to the Office of Special Education Programs (OSEP) in 2023.

Summary Chart:

Federal Compliance Indicators	Target	Initial Data Pull	Subsequent Data (October 2021)	Correction of Noncompliance (Yes/No)
Timely Start (30 day)	100%	93.8%	90% (18/20)	No
Timely IFSPs (45-Day)	100%	99.1%	100% (10/10)	Yes
Transition Steps and Services	100%	100%	N/A	N/A
Notification to LEA of Potential Toddlers	100%	100%	N/A	N/A
Timely Transition Meeting	100%	95.5%	100% (10/10)	Yes
Annual IFSP Written Prior to Expiration	100%	100%	N/A	N/A
Timely 6-Month/Review of IFSP	100%	98.6%	No	Subsequent data not yet pulled (Q4)
10-Day Written Prior Notice	100%	96.7%	100% (20/20)	Yes

Federal Compliance Measures:

Below is the breakdown of how Cluster B performed in each indicator. For a correction of noncompliance to be verified, each child-specific instance of noncompliance must be verified as corrected, unless the child is no longer in the jurisdiction of the early intervention program. The state may review a sample of the records with noncompliance or each record. It must be verified that the required actions were completed albeit late. Subsequent data must demonstrate the program correctly implemented the requirements(s) where the program had noncompliance. Data may be from subsequent reviews, onsite-monitoring, or a data base.



### #1 – Timely Service Delivery

The target for this indicator is 100%. For FFY 2021, BCDS found the cluster in **noncompliance** for this indicator. The requirement as referenced in **34 CFR 303.344(f)(1)** – Content of an IFSP- “The projected dates for initiation of the services in paragraph (d)(1) of this section as soon as possible after the IFSP meetings described in 303.342 . . .”. Indiana defines timely as within 30 days of the IFSP start date or within 30 days from the date of addition to the IFSP.

The cluster’s performance was at 93.8% due to 8 children not receiving their services within a timely manner (30 days), therefore this finding of noncompliance must be corrected within one year according to federal requirements. BCDS has already verified the 8 children received services albeit late. In 60 days, we will run subsequent data to determine if the cluster is in compliance with this indicator. The State has full confidence the cluster will be able to correct the deficiency. We are available to assist you in reaching this goal.

### #7 – 45 days from Referral to IFSP

The target for this indicator is 100%. For FFY 2021, BCDS found the cluster in **noncompliance** for this indicator. The requirement as referenced in **34 CFR 303.310(a)** - the initial IFSP meeting under §303.342 must be completed within 45 days from the date the lead agency or EIS provider receives the referral of the child.

The cluster’s performance was at 99.1% due to 1 child not having an initial IFSP within the 45-day timeline, therefore this finding of noncompliance must be corrected within one year according to federal requirements. BCDS has already verified the 1 child did receive an initial IFSP albeit late. Prior to issuing this letter, BCDS reviewed subsequent data and found the cluster in compliance. **No finding** will be issued for this indicator.

### #8A – Transition Steps and Services

The target for this indicator is 100%. For FFY 2021, BCDS found the cluster **met compliance** for this indicator. The requirement as referenced in **34 CFR 303.344(h)(i)(ii)(iii)(2)(i)(ii)** - (h)Transition from Part C services. (1) The IFSP must include the steps and services to be taken to support the smooth transition of the child, in accordance with §§303.209 and 303.211(b)(6), from Part C services to-(i) Preschool services under Part B of the Act, to the extent that those services are appropriate; (ii)Part C services under §303.211; or (iii) Other appropriate services...”

### #8B – Notification to the LEA of potential toddler

The target for this indicator is 100%. For FFY 2021, BCDS found the cluster **met compliance** for this indicator. The requirement as referenced in **34 CFR 303.344(h)(iii)(e)** - “Confirmation that child find information about the child has been transmitted to the LEA or other relevant agency, in accordance with §303.209(b)(and any policy adopted by the State under §303.401(e)) and, with parental consent if required under §303.414, transmission of additional information needed by the LEA to ensure continuity of services from the Part C program to the Part B program, including a copy of the most recent evaluation and assessments of the child and the family and most recent IFSP...”

### #8C – Timely Transition Meeting

The target is 100% for this indicator. For FFY 2021, BCDS found the cluster in **noncompliance** for this indicator. The requirement as referenced in **34 CFR 303.209(c)(1)** - “If a toddler with a disability may be eligible for preschool services under Part B of the Act, the lead agency, with the approval of the family of the toddler, convenes a conference, among the lead agency, the family, and the LEA not fewer than 90 days--and, at the discretion of all parties, not more than 9 months--before the toddler’s third birthday to discuss any services the toddler may receive under Part B of the Act...”

The cluster’s performance was at 95.5% due to 1 child not receiving a timely transition meeting, therefore this finding of noncompliance must be corrected within one year according to federal requirements. BCDS has verified the 1 child received a transition meeting outside of the federal timeline. Prior to issuing this letter, BCDS reviewed subsequent data and found the cluster in compliance. **No finding** will be issued for this indicator.

#### #15 – Annual IFSP Written Prior to Expiration

The target for this indicator is 100%. For FFY 2021, BCDS found the cluster **met compliance** for this indicator. The requirement as referenced in **34 CFR 303.342(c)** - “Annual meeting to evaluate the IFSP. A meeting must be conducted on at least an annual basis to evaluate and revise, as appropriate, the IFSP for a child and the child's family. The results of any current evaluations and other information available from the assessments of the child and family conducted under §303.321 must be used in determining the early intervention services that are needed and will be provided.”

#### #16 – Timely Six-Month Review

The target for this indicator is 100%. For FFY 2021, BCDS found the cluster in **noncompliance** for this indicator. The requirement as referenced in **34 CFR 303.342(b)(1)** - “Periodic review. A review of the IFSP for a child and the child's family must be conducted every six months, or more frequently if conditions warrant, or if the family requests such a review. The purpose of the periodic review is to determine...”

The cluster's performance was at 98.6% due to 1 child not receiving a timely 6-month review, therefore this finding of noncompliance must be corrected within one year according to federal requirements. BCDS was able to verify the 1 child received a 6-month review outside of the federal timeline. In 60 days, we will run subsequent data to determine if the cluster is in compliance with this indicator. The State has full confidence the cluster will be able to correct the deficiency. We are available to assist the cluster in reaching this goal.

#### #17 – 10 –Day Written Prior Notice

The target for this indicator is 100%. For FFY 2021, BCDS found the cluster in **noncompliance** for this indicator. The requirement as referenced in **34 CFR 303.421(a)** - “Prior written notice must be provided to parents a reasonable time before the lead agency or an EIS provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of their infant or toddler, or the provision of early intervention services to the infant or toddler with a disability and that infant's or toddler's family.”

The cluster's performance was at 96.7% due to 5 families not receiving a timely 10-day prior written notice, therefore this finding of noncompliance must be corrected within one year according to federal requirements. BCDS has verified the 5 families received a notice of their meeting. Prior to issuing this letter, BCDS reviewed subsequent data and found the cluster in compliance. **No finding** will be issued for this indicator.

Federally Reported Results Measures:

**#3 – Child Outcomes**

<b>Outcome:</b>	<b>Cluster Data</b>	<b>State Average</b>	<b>State Target</b>
Social SS1	47.1%	49.17%	52%
Social SS2	61.5%	53.18%	53%
Acquisition of Knowledge SS1	75%	63.60%	52%
Acquisition of Knowledge SS2	88%	79.19%	67%
Adaptive SS1	59.3%	56.2%	52%
Adaptive SS2	80%	71.69%	58%

**#4 – Family Outcomes**

<b>Outcome:</b>	<b>Cluster Data</b>	<b>State Average</b>	<b>State Target</b>
Know their rights	92.3%	98.37%	94%
Communicate child's needs	92.3%	97.55%	94.5%
Help child develop/learn	96.2%	96.74%	93%

We are committed to supporting the cluster's efforts to improve outcomes for infants and toddlers with disabilities and their families, and we look forward to working with the cluster over the next year. Please contact me or one of the Quality Review Leaders with any questions.

Sincerely,



Maggie McCall  
State First Steps Quality Assurance Director  
Bureau of Child Development Services  
Division of Disability and Rehabilitative Services  
Office: 317-232-2027